

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

March 28, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

HECTOR MARTINEZ

BY: CM
DEPUTYCase No. **SA:25-MJ-483**Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 27, 2025 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18/922(o)

Illegal Possession of a Machinegun

PENALTIES:

Up to 10 years imprisonment; \$250,000 fine; 3 years SR
\$100 mandatory special assessment

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Matthew Eller

Digitally signed by Matthew Eller
Date: 2025.03.27 16:06:40 -05'00'*Complainant's signature*

Matthew Eller, ATF, SA

Printed name and title*Judge's signature*

Richard B. Farrer, US Magistrate Judge

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

Date: March 28, 2025City and state: San Antonio, Texas

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Matthew Eller, being duly sworn do hereby depose and state:

1. I am currently employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since May 2023. Since May 2023, I have participated in investigations concerning violations of Title 18.
2. In March of 2025, ATF Special Agents began investigating the Facebook profile “Hector Martinez,” (MARTINEZ) which belongs to **Hector Martinez**.
3. On February 27, 2025, MARTINEZ sold an ATF undercover agent a Kimber, model Eclipse Pro II, serial number KR21209. An NCIC query of this firearm revealed the firearm was stolen in Austin, Texas on February 24, 2025. This undercover deal occurred in San Antonio, Texas, in the Western District of Texas.
4. On March 4, 2025, MARTINEZ sold an ATF undercover agent a **Glock, model 19X, 9mm caliber, serial number CAHU931 which was equipped with a Glock switch, also known as a Machinegun Conversion Device**, and a Ruger, model LC9, 9mm caliber, serial number 324-36586. An NCIC query of the Glock, model 19X revealed it was stolen in San Antonio, Texas on August 25th, 2024. This undercover deal occurred in San Antonio, Texas, in the Western District of Texas.
5. On March 13, 2025, MARTINEZ sold an ATF undercover agent four handguns. These handguns include a Ruger, model SP101, .357 caliber, serial number 571-11288, a German Sports Guns, model GSG-1911, .22 caliber, serial number A442354, a Sig Sauer, model P365, 9mm caliber, serial number 66G065276, and a Kimber, model Raptor II, .45 caliber, serial number KU371172. An NCIC query of these firearms revealed that three of the four were stolen. This undercover deal occurred in San Antonio, Texas, in the Western District of Texas.
6. On March 27, 2025, MARTINEZ agreed to sell an ATF undercover agent four handguns. MARTINEZ arrived to meet the undercover agent in San Antonio and was arrested by ATF.
7. None of firearms recovered from MARTINEZ were manufactured in the State of Texas. Therefore, they all traveled in interstate and foreign commerce.
8. Machine Gun Conversion Devices (MCDs), also known as “Glock Switches,” are used to convert a semi-automatic handgun, which under normal operation can only fire a single round every time the trigger is pulled, into a fully automatic machinegun that can fire multiple rounds, even up to an entire magazine full of rounds, with one single trigger pull.

The Glock, model 19X, 9mm caliber, serial number CAHU931, equipped with a Glock switch, is a machine gun.

Based on the above facts, your affiant believes that there is probable cause that **Hector Martinez** knowingly committed the offense of Possession of a Machinegun in violation of 18 U.S.C. § 922(o).

Matthew Eller

Digitally signed by
Matthew Eller
Date: 2025.03.27
16:07:21 -05'00'

Special Agent Matthew Eller
Bureau of Alcohol, Tobacco, Firearms, and
Explosives

SUBSCRIBED AND SWORN TO ON THIS 28th DAY OF March 2025.



HONORABLE RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE